

Approved: /s / Richard Cooper, by SDA with permission  
Richard Cooper / Daniel Tracer / Allison Nichols  
Assistant United States Attorneys

Before: HONORABLE STEWART D. AARON  
United States Magistrate Judge  
Southern District of New York

**21 MAG 10220**

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UNITED STATES OF AMERICA : **SEALED COMPLAINT**  
- v. - : Violations of  
STEVEN GALLAGHER, : 15 U.S.C. §§ 78j(b) &  
a/k/a "Alex Delarge," : 78ff; 17 C.F.R. §  
a/k/a "@AlexDelarge6553," : 240.10b-5; 15 U.S.C.  
Defendant. : § 78i(a)(2); 18 U.S.C. §§  
: 1343, 1348 & 2.  
: COUNTY OF OFFENSE:  
New York  
----- X -----

SOUTHERN DISTRICT OF NEW YORK, ss.:

KINGSTON MOY, being duly sworn, deposes and says that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI") and charges as follows:

**COUNT ONE**  
**(Securities Fraud)**

1. From at least in or about May 2020, up to and including the present, in the Southern District of New York and elsewhere, STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, willfully and knowingly, directly and indirectly, by the use of means and instrumentalities of interstate commerce, and the mails and facilities of national securities exchanges, did use and employ, and cause to be used and employed, in connection with the purchase and sale of securities, manipulative and deceptive devices and contrivances in contravention of Title 17, Code of Federal Regulations, Section 240.10b-5, by (a) employing devices, schemes, and artifices to defraud; (b) making untrue statements of material fact and omitting to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and

(c) engaging in acts, practices and courses of business which operated and would operate as a fraud and deceit upon persons, and aided and abetted the same, to wit, GALLAGHER used Twitter communications to engage in a fraudulent pump-and-dump scheme through which he misrepresented the nature of his personal financial stake in certain over-the-counter penny stocks in order to induce others to purchase those stocks, and thereby drive up the stocks' prices, while GALLAGHER simultaneously and secretly sold, or dumped, his own previously acquired shares at those artificially inflated prices.

(Title 15, United States Code, Sections 78j(b) & 78ff; Title 17, Code of Federal Regulations, Section 240.10b-5; and Title 18, United States Code, Section 2.)

**COUNT TWO**  
**(Wire Fraud)**

2. From at least in or about May 2020, up to and including in or about the present, in the Southern District of New York and elsewhere, STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property, including the right to make economic decisions based on true and accurate information, by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, through the use of interstate wires, GALLAGHER engaged in a fraudulent pump-and-dump scheme through which he used Twitter to misrepresent the nature of his personal financial stake in certain over-the-counter penny stocks in order to induce others to purchase those stocks, and thereby drive up the stocks' prices, while GALLAGHER simultaneously and secretly sold, or dumped, his own previously acquired shares at those artificially inflated prices.

(Title 18, United States Code, Sections 1343 and 2.)

**COUNT THREE**  
**(Securities Fraud)**

3. From at least in or about May 2020, up to and including in or about the present, in the Southern District of New York and elsewhere, STEVEN GALLAGHER, a/k/a "Alex Delarge,"

a/k/a “@AlexDelarge6553,” the defendant, willfully and knowingly executed a scheme and artifice to (a) defraud persons in connection with securities of an issuer with a class of securities registered under Section 12 of the Securities Exchange Act of 1934 and that was required to file reports under Section 15(d) of the Securities Exchange Act of 1934, and (b) obtain, by means of false and fraudulent pretenses, representations, and promises, money and property in connection with the purchase and sale of securities of an issuer with a class of securities registered under Section 12 of the Securities Exchange Act of 1934 and that was required to file reports under Section 15(d) of the Securities Exchange Act of 1934, to wit, GALLAGHER used Twitter communications to engage in a fraudulent pump-and-dump scheme through which he misrepresented the nature of his personal financial stake in over-the-counter securities of Alpine 4 Holdings, Inc., Indoor Harvest Corp., and SpectraScience Inc., in order to induce others to purchase those stocks, and thereby drive up the stocks’ prices, while GALLAGHER simultaneously and secretly sold, or dumped, his own previously acquired shares at those artificially inflated prices.

(Title 18, United States Code, Sections 1348 and 2.)

**COUNT FOUR**  
**(Market Manipulation)**

4. From at least in or about July 2020, up to and including in or about August 2020, in the Southern District of New York and elsewhere, STEVEN GALLAGHER, a/k/a “Alex Delarge,” a/k/a “@AlexDelarge6553,” the defendant, willfully and knowingly, directly and indirectly, by the use of the mails and any means or instrumentality of interstate commerce, and of any facility of any national securities exchange, and for any member of a national securities exchange, effected, alone and with one and more other persons, a series of transactions in any security registered on a national securities exchange, any security not so registered, and in connection with any security-based swap or security-based swap agreement with respect to such security creating actual or apparent active trading in such security, and raising and depressing the price of such security, for the purpose of inducing the purchase or sale of such security by others, to wit, GALLAGHER engaged in a series of transactions in the securities of SPO Global Inc. in order to raise their price and induce others to purchase those securities, and thereby drive up the stocks’ prices, while GALLAGHER simultaneously and secretly sold.

(Title 15, United States Code, Sections 78i(a)(2) and 78ff; and Title 18, United States Code, Section 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

5. I have been a Special Agent with HSI for approximately four years. I am currently assigned to a squad that is responsible for investigating violations of the federal securities laws, as well as wire and mail fraud laws and related offenses. I have participated in numerous investigations of these offenses, and I have made and participated in making arrests of numerous individuals for committing such offenses.

6. The information contained in this affidavit is based upon my personal knowledge, as well as information obtained during this investigation, directly or indirectly, from other sources, including documents provided by others, from speaking with witnesses, and from conversations with representatives of the United States Securities and Exchange Commission (the "SEC"). Because this affidavit is being submitted for a limited purpose, I have not set forth each and every fact I have learned in connection with this investigation. Where conversations and events are referred to herein, they are related in substance and in part unless otherwise noted. Where dates, figures, and calculations are set forth herein, they are approximate.

#### **Summary of the Fraudulent Scheme**

7. As set forth more fully below, in or about 2020 through in or about the present, STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, has operated a fraudulent pump-and-dump scheme that employed a variety of tactics to defraud individual, non-professional investors - so-called "retail investors" - in thinly traded over-the-counter securities. GALLAGHER operated his scheme principally on the social media website Twitter, where he created an account using the alias "Alex DeLarge" (the "DeLarge Twitter Account") in or about September 2019. Over time, GALLAGHER gained substantial numbers of followers for the DeLarge Twitter Account, and as of October 19, 2021, the DeLarge Twitter Account had over 70,000 followers.

8. STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, repeated the scheme again and again with respect to numerous securities, employing substantially the same means and methods. As part of his fraudulent scheme,

GALLAGHER first secretly acquired a substantial volume of shares of thinly traded penny stocks, which typically traded "over-the-counter" (i.e., via a broker-dealer network, and not on a centralized exchange such as the New York Stock Exchange) (the "Subject Securities"). GALLAGHER then used the DeLarge Twitter Account to artificially "pump" the Subject Securities, including by making materially false and misleading statements about those securities. For example, GALLAGHER made false and misleading statements about the nature and timing of GALLAGHER's own financial interest in those securities, at times representing that he was purchasing or holding shares of certain of the Subject Securities he was touting when, in fact, he was secretly selling. During the course of the scheme, GALLAGHER also regularly posted images of his brokerage account balance and gains on the Delarge Twitter Account in order to bolster his reputation and induce his followers to trade in accordance with his suggestions.

9. During the "pump" phase of this scheme, the prices of the Subject Securities rose when the Twitter followers of the DeLarge Twitter Account purchased them. Then, STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, began the "dump" phase of the scheme wherein he sold his shares at the inflated prices while continuing to use the DeLarge Twitter Account to disseminate materially false and fraudulent statements in an effort to obtain the best possible sales price for himself. As a result of this fraudulent scheme, GALLAGHER earned over \$1 million in trading profits.

10. In addition to making false and misleading statements to "pump" the Subject Securities, as a further part of his fraudulent scheme, STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, also engaged in an additional form of market manipulation with at least one of the Subject Securities. Specifically, GALLAGHER engaged in a series of transactions designed to artificially raise the end-of-day price of one of the Subject Securities by making purchases at above-market prices in order to make the stock appear favorable to potential purchasers, a deceptive practice known as "marking the close." As with GALLAGHER's efforts to artificially raise the price of the Subject Securities through false and misleading statements, these manipulative transactions induced other market participants to purchase the security and continue the upward trend in its price while GALLAGHER secretly sold his shares at a profit.

### **Background**

11. Based on my training and experience, and my participation in this investigation, I have learned, among other things, that:

a. Certain companies have securities that trade "over the counter." Those securities, which are called "over-the-counter securities" or "OTC securities," typically do not trade on centralized exchanges such as the New York Stock Exchange or the NASDAQ Stock Exchange. OTC securities often trade for less than one dollar per share, and thus are often referred to as "penny stocks." Many OTC securities are thinly traded, and therefore are particularly susceptible to stock manipulation schemes. OTC securities including the Subject Securities purchased during the time periods described below used clearing and settlement services provided by the Depository Trust & Clearing Corporation, which maintains servers in the Southern District of New York that are involved in the settling and clearing process.

b. STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, resides in or around Ohio, and is an active day trader in OTC securities. GALLAGHER also controls and operates the DeLarge Twitter Account which, as further described below, GALLAGHER uses to perpetrate his pump-and-dump scheme involving the purchase and sale of OTC securities.

12. Based on information received from Twitter, I have learned, among other things, that:

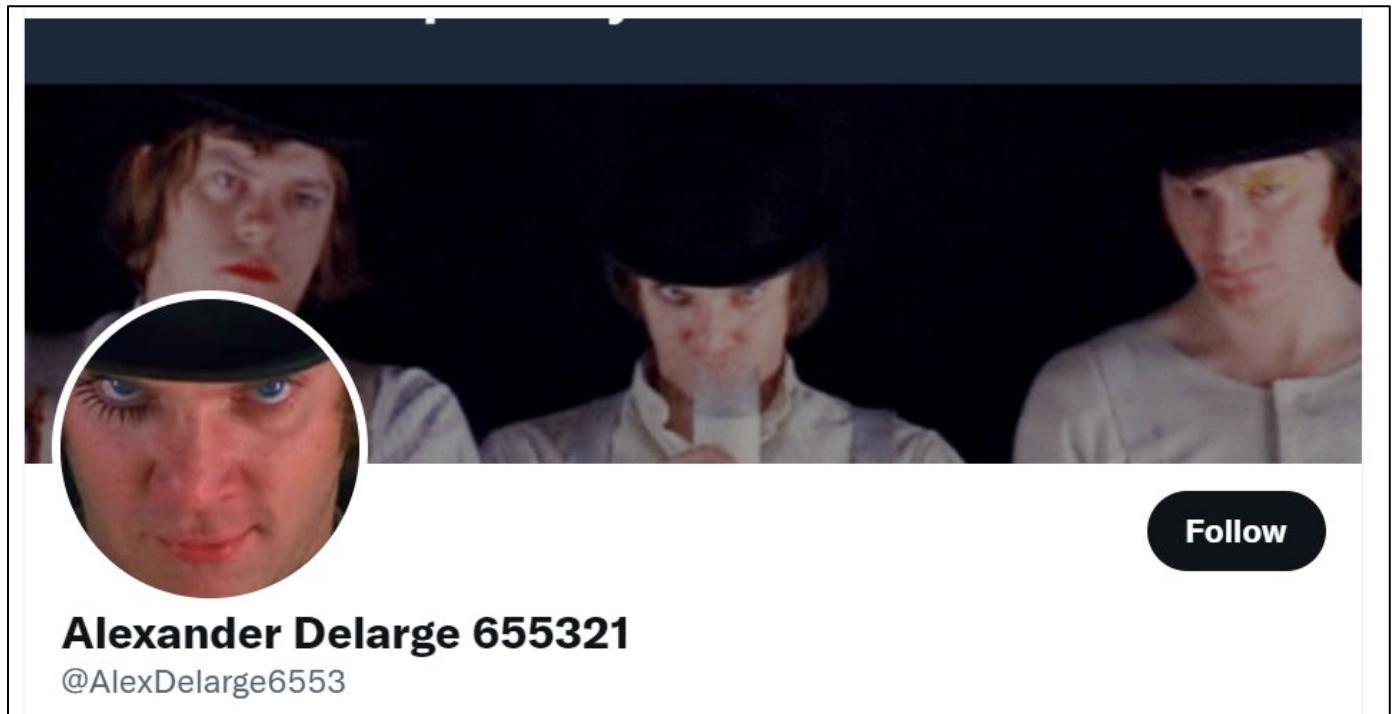
a. In or about September 8, 2019, GALLAGHER created the DeLarge Twitter Account.<sup>1</sup> As a profile picture, GALLAGHER selected an image of the Alex DeLarge character from the movie *A Clockwork Orange*.<sup>2</sup> The alias used for the DeLarge Twitter Account, "Alexander Delarge 655321," is a further reference to *A Clockwork Orange*, as the Alex DeLarge character's prisoner number in the movie is 655321. As of October 19, 2021, the DeLarge Twitter Account had over 70,000 followers. A screenshot of the profile of

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<sup>1</sup> I participated in an interview of GALLAGHER on or about October 25, 2021 during which, in substance and in part, GALLAGHER confirmed that he controls the DeLarge Twitter Account.

<sup>2</sup> "Alex DeLarge" is a character from the Anthony Burgess novel *A Clockwork Orange* and the Stanley Kubrick film of the same name. The DeLarge character is a gang leader who commits violent crimes.

the DeLarge Twitter Account is reproduced below:



Alexander Delarge 655321  
@AlexDelarge6553

**GALLAGHER's Fraudulent Scheme**

13. As set forth in detail below, STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, engaged in a Twitter-based pump-and-dump scheme with respect to the securities of at least six issuers, which comprise the Subject Securities, earning more than \$1 million in trading profits.

**SCIE**

14. Based on my review of publicly available information, I have learned that SpectraScience Inc. is a California-based company whose securities trade over-the-counter under the ticker symbol "SCIE." Accordingly to publicly available information, SCIE is delinquent on the SEC filings that it is obligated to make as a public company and has not made any SEC filings since approximately 2017.

15. Based on my review of records obtained from a brokerage company where STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, maintained a trading account ("the Brokerage"), the contents of the DeLarge Twitter Account, and publicly available information from the DeLarge Twitter Account, I have learned, among other things, that:

a. On or about December 5, 2020, GALLAGHER exchanged direct messages (a form of Twitter communication that can only be seen by the message's recipient, and is not publicly viewable) with two other Twitter users. In those messages, the participants discussed acquiring SCIE securities and then pumping the stock afterwards. Specifically:

i. GALLAGHER received a direct message from one associate that read, in substance and in part, "So [an associate] ran by me the SCIE play for monday. I think this should be our only play Monday. Push it right after the team loads up. Just came off a 2B volume. At .0002." Based on my training and experience, and participation in this investigation, I believe that in this message, GALLAGHER was planning to have a select group, or a "team," buy the stock before they pumped it.

ii. GALLAGHER sent two direct messages to an associate ("Associate-1") that read, "Scie send me the real DD the things we can talk abouts im on a break from random ponzie trip plays...." and "Scie send what you have. If team agees im a team player." Based on my training and experience, and participation in this investigation, I believe that in this message, GALLAGHER was coordinating to trade in concert with a team.

iii. Similarly, GALLAGHER sent a direct message to another associate that read, "if you keep scie quit so i can get in cheap ill try to give it a run starting Tuesday cool?" Based on my training and experience, and participation in this investigation, I believe that in this tweet, GALLAGHER was planning to buy cheap stock before pumping the stock, or "give it a run."

iv. At the same time he was discussing the purchase of SCIE shares, GALLAGHER also engaged in discussions that reflected a concern that SCIE did not have any business. For example, GALLAGHER received a direct message from Associate-1 that read, "SCIE is just shell with no guts..."

b. Shortly thereafter, GALLAGHER began to execute the pump-and-dump scheme. GALLAGHER first began acquiring shares of SCIE on or about December 7, 2020, when he purchased 10 million shares at a price of \$0.003 per share. As of on or about January 13, 2021, GALLAGHER had acquired over 26 million shares of SCIE.

c. During this period when GALLAGHER was acquiring shares of SCIE, GALLAGHER exchanged direct messages with others in which they discussed the fact that SCIE was a defunct company with no actual operations. For example:

i. On or about January 4, 2021, GALLAGHER received a direct message that read:

what makes you think scie will move i  
mean the website is dead the companys  
address is that of neogenesis and the  
company profile says out of business plus  
the ceo has left and went to another  
company. just dont want to sink to much  
into this one without a little more info  
and thats all i can find.

Based on my training and experience, and my participation in this investigation, I believe that this message indicates that the website for the company SCIE was inoperable ("the website is dead") and the listed address for SCIE is actually the address for an entirely different company.

ii. Similarly, on or about January 5, 2021, GALLAGHER received a direct message that read, "Whats the deal with SCIE? I can't find anything on it other than what i see on OTCMarkets. I know what they do but are they still in BIZ? How do you know they will be current?"

d. GALLAGHER began disseminating tweets touting SCIE almost immediately after his first purchases. In the period between December 7, 2020 and January 13, 2021, when he was building his SCIE position, GALLAGHER posted at least approximately 24 tweets that touted SCIE, including the following public tweet encouraging the purchase of SCIE stock:

Alexander Delarge 655321  
@AlexDelarge6553

\$scie i like it! hint wink



GIF

Alexander Delarge 655321  
@AlexDelarge6553

\$scie this is loading time FYI SHARING MY PLAYS!!

TARIN 🇺🇸 @Shauna92118487 · Dec 10, 2020  
\$SCIE DO NOT GET CAUGHT CHASING THIS. MONSTER CHURN GOING ON HERE! Anything under a .01 #YOLO @AlexDelarge6553 thoughts?

**Spectra Science - Innovations In Cancer Detection**

CIE Will Begin meeting with the FDA towards the preparation and submission of Supplemental PMA filing with the FDA and plan for additional clinical trials to support eventual approval for sale in the United States !!

**Lighting the way to improve your practice.**

The proprietary WavSTAT Optical Biopsy System assists the practicing gastroenterologist who uses flexible endoscope to find polyps that may be cancerous. The capability to distinguish if the tissue is cancerous or not is made immediately, and complements your expertise. The physician uses laser induced fluorescence and an optical fiber to transmit laser light via the flexible endoscope to the tissue. The auto-fluorescence from the tissue is then collected and returned to an optical detector for analysis. The result is then available with no waiting days for a pathology report.

Simply stated, we work with you to create better outcomes for your patients.

e. In late January 2021, while GALLAGHER was actively touting SCIE, the share price for SCIE rose by approximately 300%.

f. After the market closed on or about January 27, 2021, GALLAGHER entered four limit sell orders, each for one million shares, for prices between approximately 177% and 344% higher than the closing price of SCIE stock that day.<sup>3</sup> Those orders were executed after the market opened on or about January 28, 2021. Minutes after those sell orders were executed, GALLAGHER purchased approximately two million shares of SCIE. Later that day on January 28, 2021, GALLAGHER sold approximately one million shares of SCIE. Throughout that day, GALLAGHER issued a series of tweets encouraging his followers to buy SCIE and falsely representing that he was not selling any shares of SCIE, including the following:

i. GALLAGHER tweeted a screenshot of a buy order for one million shares of SCIE along with the text, "My \$scie #buyscie order filled averaging up for the team! Buy smart sell smart we all win. FYI havent sold a share...."

ii. GALLAGHER tweeted a second screenshot of a buy order for one million shares of SCIE along with the text, "Ok one more mill averaging up! Haven't sold a share. \$scie #buyscie buy the ask sell the ask. Most are! Some arnt!!"<sup>4</sup>

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<sup>3</sup> A limit sell order is one that only executes if and when the stock price reaches a particular number.

<sup>4</sup> Based on my training and experience and my participation in this investigation, I understand that many stocks are quoted with both bid and ask prices, with the ask price typically exceeding the bid. By encouraging his followers to "buy the ask", I believe that GALLAGHER was suggesting that they buy shares at the higher "ask" price in order to raise the prevailing market price of the stock.

Alexander Delarge 655321  
@AlexDelarge6553

Ok one more mill averaging up! Haven't sold a share.  
\$scie #buyscie buy the ask sell the ask. Most are!  
Some arnt!!

**FILLED Limit (Mark 0.0024)**

**Buy 1,000,000 Shares of SCIE @ \$0.0024**  
Limit: \$0.0024

Account  ga

Expiration

**Reuse Order**

10:16 AM · Jan 28, 2021 · Twitter for Android

iii. GALLAGHER continued to post tweets touting the stock and misrepresenting his own selling activity: "\$scie #buyscie the experiment thoughts! I'll be adding at the ask as everyday! Havent sold a share yet! Most are in! Now we push to highs by never sell to the bid"

Alexander Delarge 655321  
@AlexDelarge6553

\$scie #buyscie the experiment thoughts!

\$scie Monday up 25%

\$scie Tuesday up 50%

\$scie Wednesday up 100%

\$scie Thursday up 166%

\$scie Friday ..

I'll be adding at the ask as everyday! Havent sold a share yet!

Most are in! Now we push to highs by never sell to the bid



GIF

5:09 PM · Jan 28, 2021 · Twitter for Android

g. The following day, on or about January 29, 2021, GALLAGHER sold approximately 21.5 million shares of SCIE. That same day, GALLAGHER continued to issue tweets touting SCIE, and also issued false tweets suggesting that he was not selling his position. For example:

i. GALLAGHER issued a tweet that read, in substance and in part, "- \$scie #buyscie ... I'll be adding at the ask as everyday! Havent sold a share yet!"

ii. In response to a tweet by another user asking "you still holding scie?", GALLAGHER responded in a tweet that read, "yes i'm holding \$scie. it benefits me in no way to sell. I need this in the green like last 4 days. people bail. triggers hit. But the team concept clearly isn't possible unless on reddit. Lol"

16. From my review of information obtained from the SEC, I have learned, among other things, that on or about February 11, 2021, the SEC issued an announcement that it was temporarily suspending trading in SCIE. The reason for the suspension cited in the notice was that "certain social media accounts may be engaged in a coordinated attempt to artificially influence the share price of SpectraScience Inc.[], an inactive Minnesota-based corporation."

17. On or about February 12, 2021, STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, sent a direct message to an associate that read, "scie was as good as i made it." In other words, GALLAGHER believed that he had caused the stock price of SCIE to rise before profiting from his SCIE shares.

18. Based on my review of brokerage records for STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, as well as information obtained from the SEC, I have learned that in total, GALLAGHER earned profits of approximately \$22,000 from his trading in SCIE in the three month period between in or about January and March 2021.

**SPOM**

19. Based on my review of publicly available information, I have learned that SPO Global Inc. is a company whose securities trade over-the-counter under the ticker symbol "SPOM."

20. Based on my review of records obtained from the Brokerage, the contents of the DeLarge Twitter Account, which were obtained pursuant to judicially authorized search warrant, and publicly available information from the DeLarge Twitter Account, I have learned, among other things, that:

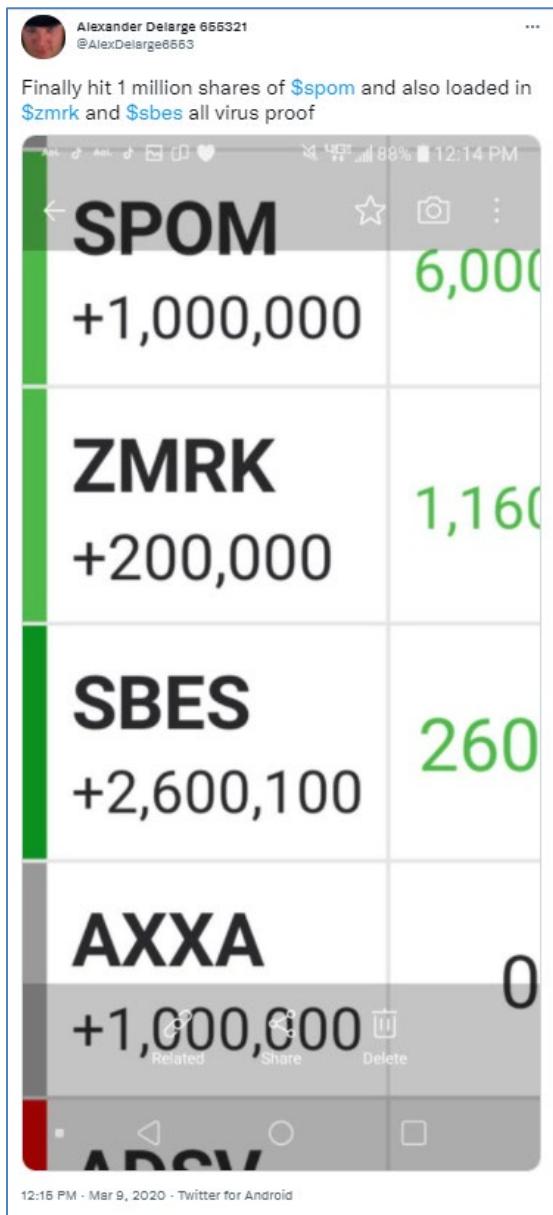
a. STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, first began acquiring shares of SPOM on or about February 18, 2020, at prices between 16 cents and 19 cents per share. As of on or about August 3, 2020, GALLAGHER had acquired over 1.6 million shares of SPOM.

*GALLAGHER Made False and Misleading Statements to Artificially Inflate SPOM's Stock Price*

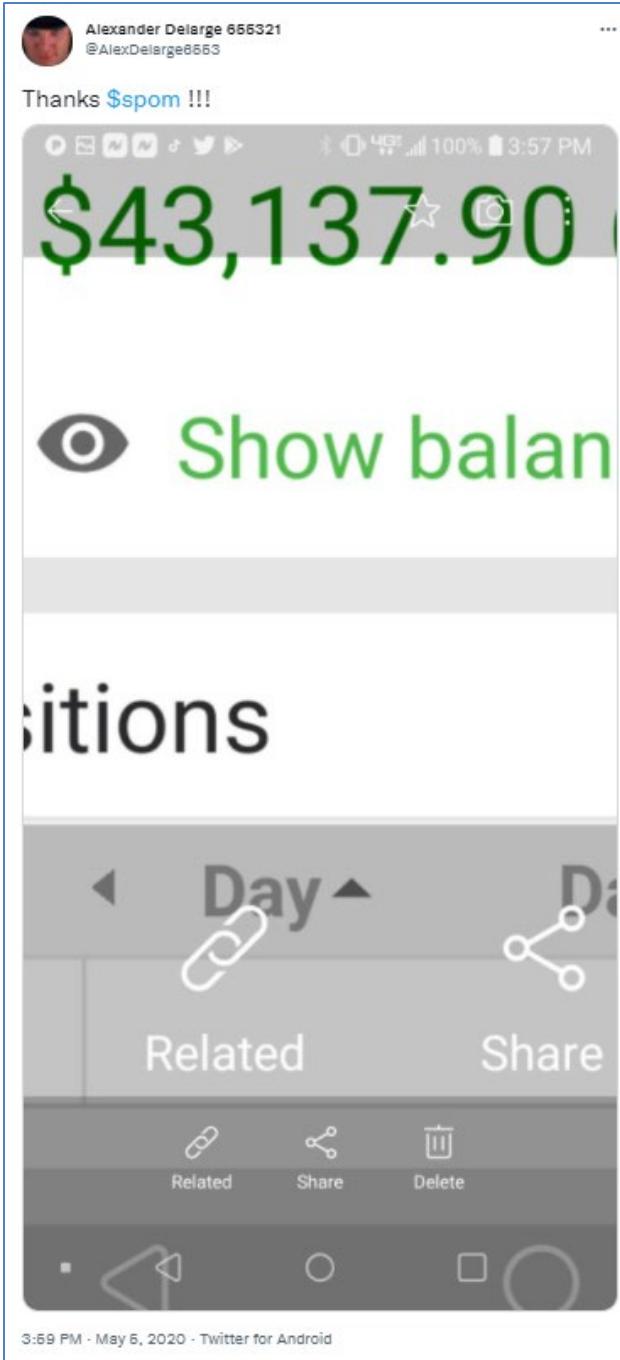
b. GALLAGHER began disseminating tweets touting SPOM almost immediately after his first purchases. In the period between February 18, 2020 and August 3, 2020, when he was building his SPOM position, GALLAGHER posted over 130 tweets that touted

SPOM. Some of those tweets described his own trading in and gains from SPOM, including the following:

i. On or about March 9, 2020, GALLAGHER disseminated a tweet in which he wrote, in substance and in part, "Finally hit 1 million shares of \$spom. . . ."



ii. On or about May 5, 2020, GALLAGHER disseminated a tweet in which he posted an image of what appears to be his brokerage account balance, showing a daily gain of \$43,137.90, above which he tweeted "Thanks \$spom !!!"



c. In the period after August 3, 2020, when the SPOM stock price rose precipitously, GALLAGHER began dumping, or selling substantial portions of his SPOM holdings while simultaneously disseminating false and misleading tweets about the nature of his SPOM holdings. For example:

i. On or about August 5, 2020, GALLAGHER sent a direct message to another Twitter user in which he wrote, in substance and in part, "1.7 mill of spom how can i sell those

without tanking it lol." Based on my training and experience, and participation in this investigation, I believe that in this tweet, GALLAGHER was privately acknowledging that he wanted to sell his 1.7 million shares of SPOM holdings but was concerned that if there were not sufficient buy orders, his sell orders would result in a substantial price decrease ("tanking it").

ii. That same day, August 5, 2020, GALLAGHER began selling SPOM shares. Between August 5, 2020, and September 15, 2020, GALLAGHER sold approximately 1.3 million of his SPOM shares.

iii. During the period when he was selling those approximately 1.3 million shares of SPOM, GALLAGHER disseminated false and misleading public tweets through Twitter in which he misrepresented his financial position in SPOM, giving the false impression that he had not sold. For example:

1. On or about August 10, 2020, GALLAGHER, as part of his efforts to prevent selling and maintain an inflated price for SPOM, sent direct messages to various Twitter users in which he wrote, in substance and in part, "not selling spom its spom week," "BUY SPOM BUDDY," and "spom is my atm buy dips sell the rips and this hasnt ripped yet." In fact, between August 3 and August 10, 2020, GALLAGHER had sold approximately 151,000 shares of SPOM, or 9% of his SPOM holdings.

2. On or about August 16, 2020, GALLAGHER disseminated a false and misleading public tweet in which he wrote, in substance and in part, ". . . . I love \$spom i buy every dip and yes ill sell some on the rips unfortunately we havent seen a \$spom rip yet!! but its coming." Based on my training and experience, and my participation in this investigation, I believe that in this tweet, GALLAGHER was suggesting that while his trading strategy includes selling some shares of a stock when its price dramatically rises ("sell some on the rips"), he had not done so for SPOM ("unfortunately we haven't seen a \$spom rip yet!!"). In fact, between August 3 and August 16, 2020, GALLAGHER had sold approximately 616,000 shares of SPOM, or 37% of his SPOM holdings.

3. On or about August 25, 2020, GALLAGHER disseminated a public tweet in which he wrote, in substance and in part, "That's its!! Selling everything and buying all \$spom!"

Alexander Delarge 655321  
@AlexDelarge6553

That's its!! Selling everything and buying all \$spom!  
\$tsla challenge over \$aapl time to make 100 million  
today! Well all but \$rbii



GIF #LINCOLNRHYME NBC

10:26 AM · Aug 25, 2020 · Twitter for Android

d. In this period after August 3, 2020, when GALLAGHER sold substantial portions of his SPOM holdings, he continued to disseminate tweets that touted SPOM and encouraged the followers of the DeLarge Twitter Account to purchase SPOM.

*GALLAGHER Also Engaged in Manipulative Trading to Further Inflate the Price of SPOM*

21. In addition to his conduct pumping SPOM through false and misleading misrepresentations, STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, also engaged in manipulative trading conduct in SPOM securities. Specifically, and as described below, in or about late July 2020, GALLAGHER engaged in securities trades that appear to have been designed to artificially raise the price of SPOM at the end of the trading day in order to induce others to purchase the stock. Based on my review of trading records and information obtained from the SEC, as well as the contents of the DeLarge Twitter Account, I have learned, among other things, that:

a. On or about July 23, 2020, between 3:54 p.m. and 3:59 p.m. (i.e., near the end of the trading day), GALLAGHER entered five buy limit orders for SPOM stock at prices above the offer price. A "limit order" is an order to execute at a particular price and the offer price is the best price at which another market participant is willing to sell his or her shares. In other words,

GALLAGHER was asking to buy shares at a higher (i.e., worse) price than what was available to him in the market. Those orders were executed shortly thereafter.

b. On or about July 27, 2020, at 3:59 p.m., GALLAGHER entered three buy limit orders for SPOM stock at prices above the offer price. Those orders were executed shortly thereafter.

c. On or about July 28, 2020, between 3:56 p.m. and 3:59 p.m., GALLAGHER entered ten buy limit orders for SPOM stock at prices above the offer price. Those orders were executed shortly thereafter.

d. The Brokerage, through which GALLAGHER placed the orders described above, sent an email to GALLAGHER on or about July 29, 2020 in the morning warning him about this manipulative trading conduct. That email, with subject line "Possible manipulative trading in your account," read, in substance and in part:

In particular, we want you to be aware of the practice known as manipulative trading .... [A]n instance of manipulative trading may have occurred in your account .... During the period of July 23-July 28, the client [GALLAGHER] executed bids in SPOM which had the effect of raising the closing price of the stock. This activity may be considered marking the close by regulators.

Manipulative trading practices constitute a serious violation of exchange trading rules.

e. Notwithstanding this email, GALLAGHER continued to engage in a pattern of manipulative trading with respect to SPOM. On or about July 29, 2020, between 3:51 p.m. and 3:59 p.m., GALLAGHER entered eight buy limit orders for SPOM stock at prices above the offer price. Those orders were filled thereafter at lower prices.

f. Also on or about July 29, 2020, GALLAGHER issued a tweet that read, "I'll be hitting \$spom at .17 come join me move this. EOD." Based on my training and experience, and my participation in this investigation, I believe that in this tweet GALLAGHER was instructing his Twitter followers to assist him in the deceptive practice known as "marking the close," designed to raise the end-of-day ["EOD"] price of SPOM by making purchases at above-market prices in order to make the stock appear favorable to

potential purchasers. On or about October 25, 2021, I participated in an interview of GALLAGHER, during which he said, in substance and in part, that he issued the tweet referenced in this paragraph in order to move the market and increase the price of SPOM stock.

g. On or about July 30, 2020, between 3:49 p.m. and 3:59 p.m., GALLAGHER again entered five buy limit orders for SPOM stock at prices above the offer price. Those orders were executed shortly thereafter.

h. The Brokerage sent another warning email to GALLAGHER on or about July 31, 2020 in the morning. That email, with subject line "Restrictions on your account due to appearance of potentially manipulative trading," read, in substance and in part:

As you may remember, we wrote you previously about the practice known as manipulative trading, the possibility that it may have occurred in your account, and the potential penalties involved. However, another instance of potentially manipulative trading may have occurred in the account....

Between 7/29/2020 and 7/30/2020, the above listed account established a pattern of trading that could potentially be viewed as manipulative by outside regulators. The account holds a position in SPOM and is placing buy orders near the close of the trading day. Outside regulators could view this trading activity as an attempt to uptick/stabilize the stock price and/or mark the close.

i. Notwithstanding that email from the Brokerage, on or about July 31, 2020, between 3:56 p.m. and 3:59 p.m., GALLAGHER entered two buy limit orders for SPOM stock at prices above the offer price. Those orders were filled thereafter at lower prices.

j. On or about August 12, 2020, GALLAGHER issued a tweet that read, "Always love waking to my [Brokerage] account restricted do [sic] to stock manipulation! Who would try to move \$spom EOD not me! After 30 min on the phone im out of TDA jail!!"

Alexander Delarge 655321  
@AlexDelarge6553 ...

Always love waking to my TDA account restricted do to stock manipulation! Who would try to move \$spom EOD not me! After 30 min on the phone im out of TDA jail!!



8:57 AM · Aug 12, 2020 · Twitter for Android

22. Based on my review of brokerage records for STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, as well as information obtained from the SEC, I have learned that GALLAGHER fully exited his position in SPOM on or about February 24, 2021. In total, GALLAGHER earned profits of approximately \$288,000 from his trading in SPOM.

**ALPP**

23. Based on my review of publicly available information, I have learned that Alpine 4 Holdings, Inc. is a company whose securities trade over-the-counter under the ticker symbol "ALPP."

24. Based on my review of records obtained from the Brokerage, the contents of the DeLarge Twitter Account, and publicly available information from the DeLarge Twitter Account, I have learned, among other things, that:

a. GALLAGHER first began acquiring shares of ALPP on or about December 8, 2020, at 52.5 cents per share. As of on or about December 21, 2020, GALLAGHER had acquired over approximately 125,000 shares of ALPP.

b. GALLAGHER began disseminating tweets touting ALPP almost immediately after his first purchases. On or about December

8, 2020, after his first purchase, GALLAGHER tweeted, "OK I bought \$alpp after two years of listening i give up! Im in at 52 week high!!" In the period between December 8, 2020 and December 22, 2020 (when GALLAGHER first sold some of his ALPP holdings), GALLAGHER posted approximately 28 tweets that touted ALPP. Some of those tweets described his own trading in ALPP and his purported strategy not to sell his ALPP shares, including the following tweets, all issued on or about December 21, 2020:

i. GALLAGHER first issued a tweet that attached a screenshot of what appears to be a brokerage statement reflecting a balance of 125,000 shares of ALPP, with a total trading gain of \$114,487. The tweet read, "My \$alpp confidence! Not selling a share!! This makes up for that big losers stock the other day!! \$alpp will up list and we will see multi dollar run!! Whos with me?"

Alexander Delarge 655321  
@AlexDelarge6553

My \$alpp confidence! Not selling a share!! This makes up for that big losers stock the other day!! \$alpp will up list and we will see multi dollar run!! Whos with me?

**ALPP (125,000 shares)**  
@ 1.96  
Market value: \$245,000.00  
Total Gain: 114,487.40 87.72%

Detailed Quote  
Add to Position  
Reduce Position  
Close Position  
Create Alert  
Cancel

SEEL	5,250.00	14.00%	1.71
-25,000			

3:22 PM - Dec 21, 2020 - Twitter for Android

ii. GALLAGHER next issued a tweet that read, "i aint selling \$alpp long."

iii. GALLAGHER then issued a tweet that attached a screenshot of what appears to be a brokerage account statement reflecting a balance of \$2,222,962.43. The tweet read, in part, "Green day great OTC action ... \$alpp up 48% ... Big green for all I hope!"

c. The following day, on or about December 22, 2020, GALLAGHER sold 10,000 shares of ALPP.

d. Beginning on or about January 14, 2021, through on or about March 11, 2021, GALLAGHER sold approximately 109,080 shares of ALPP, which represented nearly his entire ALPP position. During that period of time, GALLAGHER continued to disseminate tweets that touted ALPP, including tweets that misrepresented the nature of his personal financial stake in ALPP, including the following:

i. On or about January 14, 2021, GALLAGHER issued a tweet that read:

\$alpp 100% must own! Why?  
1 \$35 million in projected earnings  
2 NASDAQ up list 2021 PR confirms goal  
3 It's my #1 overall everyday OTC stock  
Advice: Buy dips (this is a dip)  
Current price \$2.45 high \$4.79  
Estimate \$10 PPS pre ap list  
RETWEET GETS A FOLLOW  
LISTEN TO THIS

Alexander Delarge 666321  
@AlexDelarge6663

...  
  
\$alpp 100% must own! Why?  
  
1 \$35 million in projected earnings  
  
2 NASDAQ up list 2021 PR confirms goal  
  
3 It's my #1 overall everyday OTC stock  
  
Advice: Buy dips (this is a dip)  
  
Current price \$2.45 high \$4.79  
  
Estimate \$10 PPS pre ap list  
  
RETWEET GETS A FOLLOW  
  
LISTEN TO THIS

 Alpine 4 Holdings, Inc. @alpine4holdings - Jan 13  
SALPP CEO, Kent Wilson, speaks on Alpine 4's preliminary guidance of \$33.5 million to \$36 million in revenue  
[youtube.com/watch?v=8KVcQR...](https://youtube.com/watch?v=8KVcQR...)

6:51 AM · Jan 14, 2021 · Twitter Web App

ii. On or about January 15, 2021, GALLAGHER issued a tweet that read, "\$alpp is a must own!"

iii. On or about January 16, 2021, GALLAGHER issued a tweet that read, "\$alpp My thoughts! The best overall long in OTC #1 I HOLD 113K SHARES"

iv. On or about January 19, 2021, GALLAGHER issued a tweet that read, "\$alpp This is my #1 otc biggest investment! 115k shares over \$300k!! Lets see how this plays out!"

v. On or about January 22, 2021, GALLAGHER issued a tweet that read:

Stocks I hold huge portions I add red days and sell small chunks on rip days! These are my favorite runners  
1 \$alpp

\* \* \*

This is how to make money in the OTC  
I never say the sell word!  
But we are here to make money

Sell smart! Sell the ask!

vi. On or about March 8, 2021, GALLAGHER issued a tweet that read, "fully loaded in \$alpp. its a big board to me!" In fact, as of on or about March 8, 2021, GALLAGHER held only approximately 10,000 shares of ALPP. Since on or about January 14, 2021, GALLAGHER had sold approximstely 104,000 shares (or 91% of his holdings).

vii. On or about March 11, 2021, GALLAGHER issued a tweet that read, "\$alpp is a great stock i own ton of \$alpp." In fact, by March 11, 2021, GALLAGHER was consistently selling ALPP and had already sold nearly all of his holdings in ALPP.

25. Based on my review of brokerage records for STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, as well as information obtained from the SEC, I have learned that in total, GALLAGHER earned profits of approximately \$471,000 from his trading in ALPP.

**TSNP**

26. Based on my review of publicly available information, I have learned that Tesoro Enterprises Inc. is a company whose securities, during the time period described herein, traded over-the-counter under the ticker symbol "TSNP."

27. Based on my review of records obtained from the Brokerage, the contents of the DeLarge Twitter Account, and publicly available information from the DeLarge Twitter Account, I have learned, among other things, that:

a. GALLAGHER first began acquiring shares of TSNP on or about November 10, 2020, when he purchased two million shares of TSNP at \$0.0017 per share.

b. On or about November 10, 2020, after acquiring his shares, GALLAGHER sent Twitter direct messages to three other users, each of which read, "tsnp alert coming." Based on my training and experience, and my participation in this investigation, I understand this to mean that GALLAGHER was getting ready to fraudulently pump TSNP.

c. GALLAGHER then began disseminating tweets touting TSNP, a few hours after his initial purchase. That same day, in a 16-minute window between approximately 11:36 a.m. and 11:52 a.m., GALLAGHER issued eight tweets touting TSNP, including the following:

Alexander Delarge 655321  
@AlexDelarge6553

\$tsnp alert buy this should be up 500% already!!  
Strong buy \$tsnp!! alert



GIF

OTC Alerts @aheadsupoto · Nov 10, 2020  
\$TSNP new alert at aheadup.com/twitter/newsen... #Penny #pennystocks  
#PinkSheet #OTC #OTCBB #stocks 168

11:36 AM · Nov 10, 2020 · Twitter Web App

Alexander Delarge 655321  
@AlexDelarge6553

My 3 buys today!!

\$spom early fins gotta be good

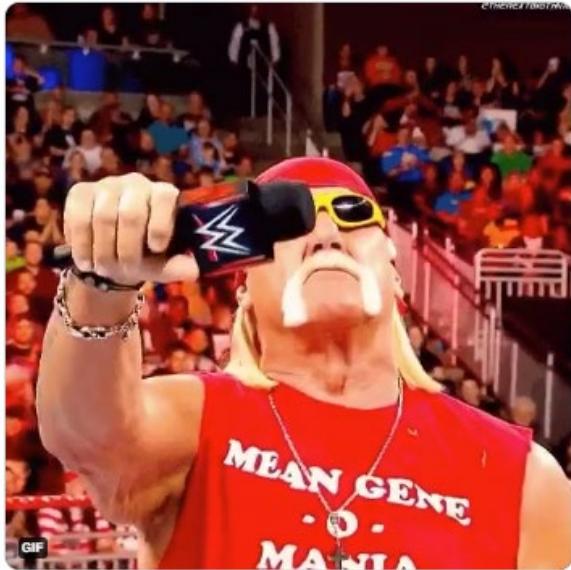
\$fonu updates

\$tsnp lots of news coming

My only alerts today!!!

That's in I'm out!!

Tequila Tuesday and \$spom week!!



11:44 AM · Nov 10, 2020 · Twitter Web App

d. At approximately 12:16 p.m. that same day, GALLAGHER entered an order to sell one million shares of TSNP, and that order was executed at \$0.0022 per share.

e. Between November 10, 2020 and November 17, 2020, GALLAGHER continued to issue tweets touting TSNP, including the following:

i. On or about November 12, 2020, GALLAGHER issued a tweet that read:

FRIDAY LIST!! LOAD NOW!! NOT IN AM!!  
1 \$DRGV  
2 \$TSNP  
THE REST TO BE ANNOUNCED!!

ii. On or about November 12, 2020, GALLAGHER

issued a tweet that attached a screenshot of what appears to be a brokerage account statement reflecting a balance of \$1,557,899.94 with a daily gain of \$32,568.78. The tweet read, in part:

Market down big!! Alex rocks OTC and EV  
 \$drug up 145% list  
 \$halb up 45%  
 \$tsnp up 42% list  
 \$Paso up 11% list  
 I'm happy hope you are  
 Bashers blocked!! Unreal!

Alexander Delarge 655321  
 @AlexDelarge655321

Market down big!! Alex rocks OTC and EV  
**\$drug** up 145% list  
**\$halb** up 45%  
**\$tsnp** up 42% list  
**\$Paso** up 11% list  
 I'm happy hope you are  
 Bashers blocked!! Unreal!

**Ameritrade**

TRADE

Dashboard Watch Lists Markets Accounts

Markets closed

DJIA -1.08% S&P 500 -1.00% NASDAQ -0.65%

**\$1,557,899.94**  
**\$32,568.78 (2.14%)**

Show balance history

4:03 PM · Nov 12, 2020 · Twitter for Android

iii. On or about November 13, 2020, GALLAGHER issued a tweet that read, "Alert buy!! \$tsnp"

iv. On or about November 13, 2020, GALLAGHER issued a tweet that read, "If you sell \$tsnp short your a fool!!! Hold long!!"

v. On or about November 16, 2020, GALLAGHER issued a tweet that read, "HELL YES IM HOLDING LONG!! \$TSNP ITS REAL."

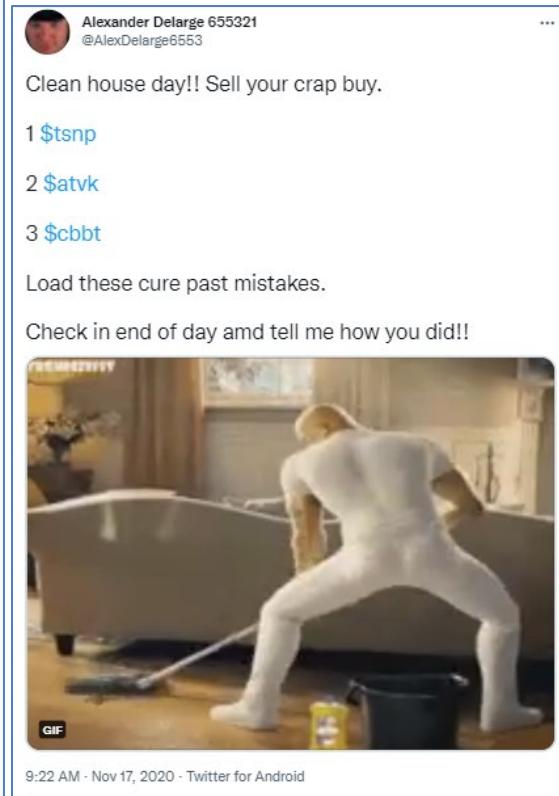
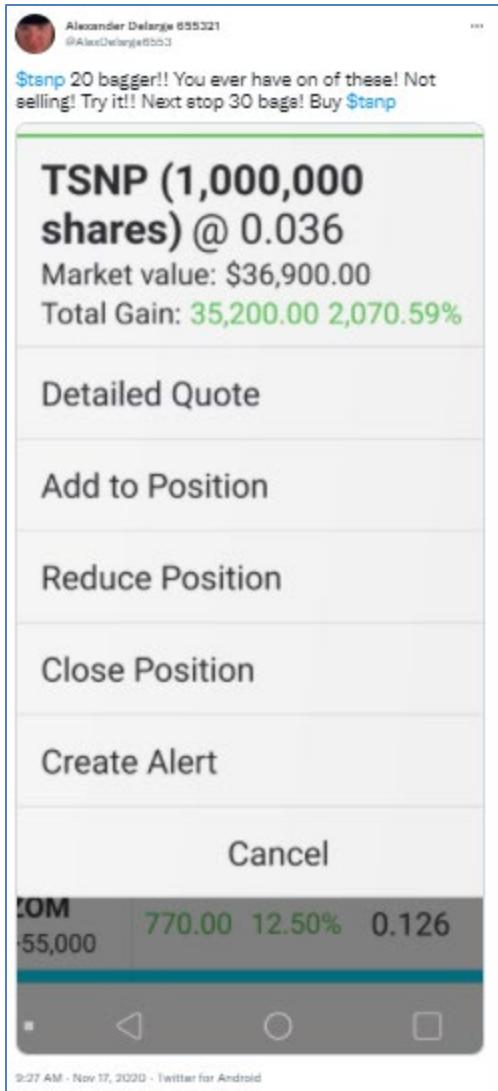
vi. On or about November 16, 2020, GALLAGHER issued a tweet that attached a screenshot of what appears to be a

brokerage account statement reflecting holdings of one million TSNP shares. That tweet read, "15 bagger! No pump amd dump here!! 1 dollar makes me a million!! \$tsnp buyband hold! I am!!"

vii. On or about November 16, 2020, GALLAGHER issued a tweet replying to another user's tweet that read, in part, "tell us when you are dumping." In response, GALLAGHER tweeted, "ILL POST MY MILLION SHARES AFTER CLOSE NOT SELLING \$TSNP GREAT NEWS COMING TUESDAY AND THURSDAY!!"

f. Contrary to this representation, GALLAGHER in fact dumped all his shares of TSNP the next day at a substantial profit. On or about November 17, 2020, at approximately 8:37 a.m., GALLAGHER entered orders to sell the one million shares of TSNP that he held, and the orders were executed at prices between \$0.0244 and \$0.0245 (i.e., 1,335% higher than the price at which GALLAGHER had purchased TSNP shares on or about November 10, 2020). Even after GALLAGHER sold, he continued to issue tweets touting the stock and also falsely claiming he had not sold, including the following:

i. GALLAGHER issued a tweet that attached a screenshot of what appears to be a brokerage account statement reflecting holdings of one million TSNP shares. The tweet read, "\$tsnp 20 bagger!! You ever have on of these! Not selling! Try it!! Next stop 30 bags! Buy \$tsnp." Based on my training and experience, and participation in this investigation, I believe that in this tweet GALLAGHER is saying that others should buy TSNP, his TSNP investment has already returned 20 times his initial investment ("20 bagger"), and he was not selling because he believed that it would soon reach 30 times his initial investment ("30 bags"). In fact, the morning of this tweet, GALLAGHER had entered a sell order for his entire one million share position in TSNP, which order was executed.





g. Later in or about November 2020 and December 2020, GALLAGHER purchased and sold additional TSNP shares. As of December 21, 2020, GALLAGHER held approximately 1.3 million shares of TSNP. Beginning that day, and continuing through on or about February 5, 2021, GALLAGHER sold approximately 1.26 million shares of TSNP, which represented substantially all of his holdings. Shortly before he began selling, and continuing through that period when he was selling TSNP shares, GALLAGHER issued tweets touting TSNP, including tweets touting TSNP and tweets that misrepresented his personal financial stake in TSNP. Those tweets included:

i. On or about December 18, 2020, GALLAGHER issued a tweet that read, ""\$tsnp is a very long for me!! There [sic] are doing all the right things! People think I'm a day trader! I'm 80% long and swings!""

ii. On or about January 4, 2021, GALLAGHER issued a tweet that read, "\$TSNP IS A LONG HOLD!! UPDATES ALL YEAR!!"

iii. On or about January 10, 2021, GALLAGHER issued a tweet that read, "it's always good to be loaded in \$tsnp one of my favs."

iv. On or about January 11, 2021, GALLAGHER issued a tweet that read, "Tuesday must owns . . . 4 \$cbbt \$tsnp . . . Im [sic] long on all these add red days sell small portions on the rips and repeat!" In fact, by this date, GALLAGHER had sold approximately 1.1 million of the approximately 1.3 million shares he had held on or about December 21, 2021.

v. On or about January 23, 2021, GALLAGHER issued a tweet that read, "\$tsnp should hit a dollar NEXT week! I will not be selling this rip! I'll be adding on the rip!! \$tsnp time is now!" In fact, however, by that date GALLAGHER had sold the vast majority of his TSNP holdings, and contrary to his statement that he would purchase additional shares, GALLAGHER continued selling.



28. Based on my review of brokerage records for STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, as well as information obtained from the SEC, I have learned that in total, GALLAGHER earned profits of approximately \$298,000 from his trading in TSNP.

#### ENZC

29. Based on my review of publicly available information, I have learned that Enzolytics Inc. is a company whose securities, during the time period described herein, traded over-the-counter under the ticker symbol "ENZC."

30. Based on my review of records obtained from the Brokerage, the contents of the DeLarge Twitter Account, and publicly available information from the DeLarge Twitter Account, I have learned, among other things, that:

a. GALLAGHER first began acquiring shares of ENZC on or about July 14, 2020, when he purchased three million shares of ENZC at \$0.0007 per share. GALLAGHER continued to acquire shares

of ENZC through on or about September 16, 2020, when he held approximately seven million shares.

b. Beginning shortly after his initial purchase, and continuing through September 16, 2020, GALLAGHER disseminated tweets touting ENZC, including the following:



OK!OK! i bought \$enzc lets see how ya do! I wasnt buying today! 3 million

**I DID BUY JUST THE BOX!**

12:55 PM - Jul 14, 2020 · Twitter Web App



\$enzc i really like this to run!!

**I LIKE IT A LOT**

12:12 PM - Aug 27, 2020 · Twitter Web App

c. Beginning on or about September 16, 2020, and continuing through on or about September 25, 2020, GALLAGHER sold approximately 6.5 million shares of his ENZC holdings, which represented substantially all of his holdings. During that period, GALLAGHER issued tweets touting ENZC, including tweets that misrepresented his personal financial stake in ENZC. Those tweets included:

i. On or about September 16, 2020, a day when GALLAGHER sold approximately three million shares of ENZC, GALLAGHER sent a series of tweets about ENZC, including the following:

1. "Do you remember my past \$enzc alerts? Hope you got in then!! 7 million shares here!!"

Alexander Delarge 655321  
@AlexDelarge6553

Do you remember my past \$enzc alerts? Hope you got in then!! 7 million shares here!!



10:24 AM · Sep 16, 2020 · Twitter for Android

2. "\$enzc to merge with BioClonetics Immunotherapeutics, Inc. The more I read this is big!! Load!! this!"

Alexander Delarge 655321  
@AlexDelarge6553

\$enzc to merge with BioClonetics Immunotherapeutics, Inc.

The more I read this is big!!

Load!! this!



11:42 AM · Sep 16, 2020 · Twitter Web App

3. "Must owns end of day! 1 \$enzc "

4. "\$enzc Will be #1 on my list do to this major medical news!! the buyers in the morning will be many!! A lot less than now!! just satin"

5. "I SEE A MULTI DAY RUN ON THIS MERGER

NEWS! \$ENZC SHOULD BRING IN NEW BUYERS ON THE NEWS. DAY TRADERS SEE EARLY!! I EXPECT A BIGGER DAY TOMORROW!!



ii. On or about September 17, 2020, GALLAGHER sent a series of tweets about ENZC, including the following:

1. "\$enzc still my #1 great run"
2. "\$enzc must own #1"
3. "Two buys today!! \$enzc \$egyf longs!!"

iii. On or about September 18, 2020, a day when GALLAGHER sold approximately two million shares of ENZC, GALLAGHER sent a series of tweets about ENZC, including the following:

Alexander Delarge 655321  
@AlexDelarge6553

Simple must buy Monday list!!! Real simple

1 \$enzc major merger multiple pennies next week!!

2 \$egyf !! My new #1 overall OTC stock get to know it!

Spread the word!! You will get rich on these two



GIF

10:05 PM · Sep 18, 2020 · Twitter for Android

1. “\$enzc my first alert was in trips!! 7 million shares!! This is gonna be a life changer. I heard someone bought 70 million shares today!! Someone knows what this merger means!!! I do!!”<sup>5</sup>

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<sup>5</sup> GALLAGHER attached to this tweet a screenshot of what appears to be two brokerage confirmations for ENZC purchases; one for three million shares on July 14, 2020 at a price of \$0.0007 per share, and one for two million shares on August 27, 2020 at prices of \$0.0009 and \$0.001 per share.

Alexander Delarge 655321  
@AlexDelarge6553

\$enzc my first alert was in trips!! 7 million shares!! This is gonna be a life changer. I heard someone bought 70 million shares today!! Someone knows what this merger means!!! I do!!

**History**

Type	Date	Change
Buy 2,420,500 ENZC @ \$0.0009	8/27/2020	-\$2,178.45
Buy 579,500 ENZC @ \$0.001	8/27/2020	-\$586.45
Buy 1,000,000 ENZC @ \$0.0009	8/27/2020	-\$906.95
Buy 3,000,000 ENZC @ \$0.0007	7/14/2020	-\$2,106.95

10:00 PM · Sep 18, 2020 · Twitter for Android

2. “\$enzc stock of the year!! great start”

iv. On or about September 22, 2020 and September 23, 2020, GALLAGHER sent a series of tweets about ENZC, including the following:

1. “And what ever you do!! Do not sell

\$enzc this is still running shorts cant even win on my current #1 \$enzc!! pennies coming do not sell before the massive news!!"

2. "\$enzc high on my list! Buying time for me. People had to work to bring this down!"

3. "\$enzc long hold for me these are bargain prizes cant wait for the news!!!"

4. In fact, however, by September 22, 2020, GALLAGHER had sold millions of shares of ENZC.

31. Based on my review of brokerage records for STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, as well as information obtained from the SEC, I have learned that in total, GALLAGHER earned profits of approximately \$160,000 from his trading in ENZC.

**INQD**

32. Based on my review of publicly available information, I have learned that Indoor Harvest Corp. is a company whose securities, during the time period described herein, traded over-the-counter under the ticker symbol "INQD."

33. Based on my review of records obtained from the Brokerage, the contents of the DeLarge Twitter Account, and publicly available information from the DeLarge Twitter Account, I have learned, among other things, that:

a. GALLAGHER first began acquiring shares of INQD on or about May 22, 2020, when he purchased two million shares of INQD at \$0.0011 and \$0.0012 per share. GALLAGHER continued to acquire shares of INQD through on or about May 29, 2020, at which point he held approximately three million shares.

b. Beginning the same day as his initial purchase on or about May 22, 2020, GALLAGHER disseminated tweets touting INQD, including the following:

i. On or about May 22, 2020, GALLAGHER issued a tweet that read, "Attention bargin shopper check out \$INQD got a million shares cheap. Ground floor grab 100k shares for hundred bucks easy money."



ii. On or about May 24, 2020, GALLAGHER issued a tweet that read, "I think we have a runner next week \$inqd"

iii. On or about May 27, 2020, GALLAGHER issued a tweet that read, "The list is doing well love the cheapies buy these you can makle alot of money fast \$inqd \$ttcm \$trep"

c. On or about August 13, 2020, GALLAGHER began selling his position in INQD. That day, he sold approximately one million shares at a price of \$0.0044 per share.

d. The following day, on or about August 14, 2020, in response to a tweet that read, "@AlexDelarge6553 what are your thoughts on \$INQD," GALLAGHER responded by issuing a tweet that read, "long hold! \$inqd i have 3 mill shares, I've been in for a while." In truth and in fact, GALLAGHER had sold one million shares the prior day and at the time of this tweet, held two million shares of INQD.

e. On or about February 4, 2021, while GALLAGHER held two million shares of INQD, GALLAGHER issued a series of tweets relating to INQD, including the following:

i. "\$inqd!! never bailed!! Still holding my old two million shares!! i never sell bags i like."

ii. "5 greens in a row! All yesturday [sic] alerts better today! yesterday otc winners ... \$inqd up 71% ... Anyone who calls me a pump and dump. Is fucking jealous [sic]!"

f. The following day, on or about February 5, 2021, GALLAGHER sold approximately 500,000 shares of INQD at a price of \$0.0149 per share.

g. Two days later, on or about February 7, 2021, GALLAGHER issued tweets relating to INQD that read, "\$inqd love this as well!" and "\$inqd been long here."

h. GALLAGHER then sold approximately 500,000 INQD shares on or about February 9 and 10, 2021, and on or about February 10, 2021, GALLAGHER issued a tweet that read, "\$INQD LONG AND STRONG HERE." In other words, GALLAGHER continued to misrepresent that he was holding his same long position in INQD even while, in fact, he was selling off his position.

i. GALLAGHER then sold the remainder of his INQD position (approximately one million shares) on or about February 18, 2021.

34. Based on my review of brokerage records for STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, as well as information obtained from the SEC, I have learned that in total, GALLAGHER earned profits of approximately \$36,000 from his trading in INQD.

35. Based on my review of public records and from speaking with the SEC, I have learned that at least three of the Subject Securities, SCIE, ALPP, and INQD, are companies that maintain a class of securities registered under section 12 of the Securities Exchange Act of 1934.

#### **GALLAGHER Deceives Additional Victims In Private Twitter Communications**

36. As part of my investigation, I have learned that, in addition to the fraudulent conduct described above in which, STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, used his public DeLarge Twitter Account to make false and misleading statements, including regarding his own trading, GALLAGHER made additional false and misleading statements of similar kind to Twitter followers in private Twitter communications.

37. Over time, GALLAGHER gained substantial numbers of followers for the DeLarge Twitter Account, and as of October 19, 2021, the DeLarge Twitter Account had over 70,000 followers. Based on my review of both the publicly available information from the Delarge Twitter Account and the contents of the account

obtained pursuant to judicially authorized search warrant, I have also learned that, in addition to the false and misleading statements GALLAGHER made publicly, GALLAGHER also interacted directly with others on Twitter and made additional false and misleading statements in these communications.

38. The ways that STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, interacted with these Twitter users make clear that other Twitter users sought and acted on GALLAGHER's advice, including his misrepresentations about his own trading activity. For example:

a. On or about August 11, 2020, GALLAGHER used the DeLarge Twitter Account to engage in a private direct message conversation with another Twitter user ("User-1") who had asked GALLAGHER for advice on his position with SPOM, as follows:

User-1: Should I sell, what is going on with spom?

GALLAGHER: you buy why sell it's a market bad [d]ay

User-1: Do u think we end green today with spom? Are u still buying later as planned?

User-1: Any help brother is appreciated.

GALLAGHER: selling stoff to buy spom atm [at the moment]

User-1: Ty [thank you] buddy

Meanwhile, contrary to what he told User-1, between August 5, 2020, and September 15, 2020, GALLAGHER sold approximately 1.3 million of his SPOM shares.

b. On or about September 23, 2020, GALLAGHER used the DeLarge Twitter Account to engage in a private direct message conversation with another Twitter user ("User-2") who had asked GALLAGHER for advice on his position with ENZC, as follows:

User-2: Are you done with ENZC

User-2: Seems like you have moved onto other plays

GALLAGHER: still holding

User-2: For sure

Meanwhile, contrary to what he told User-2, on or about September 18, 2020, GALLAGHER had sold approximately two million shares of ENZC, even as he continued to tout it on Twitter.

c. On or about November 17, 2020, GALLAGHER used the DeLarge Twitter Account to engage in a private direct message conversation with another Twitter user ("User-3") who had asked GALLAGHER for advice on his position with TSNP, as follows:

User-3: TSNP pump and dump huh?

GALLAGHER: PUMP ON MY END I LOVE IT<sup>6</sup>

Meanwhile, contrary to what he told User-3, the same day of this conversation, on or about November 17, 2020, GALLAGHER sold one million shares of TSNP, the entirety of his holding at that time.

**GALLAGHER's False and Misleading Statements and Manipulative Trading Induced Retail Investor Victims to Purchase Certain of the Subject Securities**

39. In addition to the foregoing, I have participated in interviews of several individuals who, after STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, made false and misleading statements, including regarding his own trading, bought particular stocks based, in part, on GALLAGHER's public statements on Twitter. These retail investors indicated, in substance and in part, that they followed the DeLarge Twitter Account initially believing that GALLAGHER provided genuinely helpful investment advice. Investors with whom I have spoken indicated that they found the DeLarge Twitter Account reliable, in part, because of its large number of followers and because GALLAGHER posted information about his own financial positions that appeared to indicate that he was making impressive profits connected to the investments being discussed on the Twitter account. Some of the investors with whom I have spoken made investment decisions, in whole or in part, based on GALLAGHER's recommendations through the DeLarge Twitter Account, and some of them lost money on those investments. For example:

a. Victim-1, a retail investor, bought shares of SCIE based in part on GALLAGHER's recommendation on the DeLarge Twitter Account. Victim-1 recalled that the DeLarge Twitter

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<sup>6</sup> Further in the conversation User-3 noted that he or she had made money on User-3's investment in TSNP.

Account heavily promoted SCIE. Victim-1 purchased SCIE securities on or about January 29, 2021, the same day that GALLAGHER, contrary to his prior tweets about his own position, sold 21 million shares of SCIE. Victim-1 lost thousands of dollars on Victim-1's SCIE position.

b. Victim-2, a retail investor, purchased SCIE based on promotion by the DeLarge Twitter Account. Based on the DeLarge Twitter Account's tweets promoting SCIE, Victim-2 sold a position he had on another stock in order to reinvest the funds in SCIE. On or about January 28, 2021, Victim-2 purchased approximately 2,500,000 shares of SCIE. (The same day that Victim-2 had purchased SCIE, January 28, 2021, GALLAGHER tweeted on the Delarge Twitter Account "Buy smart sell smart we all win. FYI havent sold a share....," even as GALLAGHER had bought bought and sold some shares of SCIE the same day. The next day, GALLAGHER sold 21 million shares of SCIE.) Victim-2 ultimately lost thousands of dollars on his SCIE investment.

WHEREFORE, I respectfully request that an arrest warrant be issued for STEVEN GALLAGHER, a/k/a "Alex Delarge," a/k/a "@AlexDelarge6553," the defendant, and that he be arrested and imprisoned or bailed, as the case may be.

/s/ Kingston Moy, by SDA with permission

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KINGSTON MOY  
SPECIAL AGENT  
HOMELAND SECURITY INVESTIGATIONS

Sworn to me through the transmission  
of this Complaint by reliable electronic means  
pursuant to Federal Rule of Criminal Procedure 4.1,  
this 25th day of October, 2021

*Stewart D. Aaron*

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HONORABLE STEWART D. AARON  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK